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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,951	11/18/2003	Christopher Rohrs	025.0365.US.UTL	6464
26479	7590	07/16/2007	EXAMINER	
STRAUB & POKOTYLO 620 TINTON AVENUE BLDG. B, 2ND FLOOR TINTON FALLS, NJ 07724			BASHORE, WILLIAM L	
ART UNIT		PAPER NUMBER		
2176				
MAIL DATE		DELIVERY MODE		
07/16/2007		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/716,951	ROHRS, CHRISTOPHER	
	<b>Examiner</b>	<b>Art Unit</b>	
	William L. Bashore	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

- 1) Responsive to communication(s) filed on 29 March 2007.
- 2a) This action is **FINAL**.                                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

- 4) Claim(s) 17-19, 21-24, 26-32 and 51-60 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 17-19, 21-24 and 26-32 is/are allowed.
- 6) Claim(s) 51, 53-56, 58-60 is/are rejected.
- 7) Claim(s) 52 and 57 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This action is responsive to the following communications: RCE/amendment, filed on March 29, 2007.
2. Please note that the new examiner of record for this case is William Bashore. Please update future correspondence accordingly.
3. Claims 17-19, 21-24, 26-32, 51-60 are currently pending in the case, with claims 17, 51 and 56 being the independent claims.

#### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/29/2007 has been entered.

#### ***Claim Rejections - 35 USC § 101***

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. **The claimed invention (as claimed in claims 51-55) is directed to non-statutory subject matter.**

**In regard to independent claim 51**, claim 51 claims a method comprising the limitations of said claim 51. Since claim 51 appears to claim a set of abstract ideas, said claim is not tied to any of the technological arts, and is therefore directed to non-statutory subject matter.

**In regard to dependent claims 52-55, said claims are rejected for fully incorporating the deficiencies of their respective base claim.**

***Allowable Subject Matter***

6. **Claims 17-19, 21-24, 26-32** are allowed.
7. Claims 52, 57 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. **Claims 51, 53- 56, 58-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coden et al. (U.S. Patent Application Publication 2002/0099744, published July 25, 2002, and issued as U.S. Patent 6,922,809 on July 26, 2005) (hereinafter Coden), in view of Moore (hereinafter Moore), US Publication number 2004/0098247, filed 11/20/2002, published 5/20/2004.**

**Regarding independent claim 51,** Coden teaches generating a plurality of word sets, and identifying words from a text corpus (See, Coden, Figure 1, item 50, and Figure 2, and paragraph [0035], also Abstract, para [0014], [0015] teaching a preprocessor to output character data to other parts of the system, including titles, abbreviations, single words and phrases utilizing a corpus).

Art Unit: 2176

Coden teaches various capitalization variations (see, Coden, paragraphs [0039]-[0053], teaching the evaluation of sentences and abbreviations, including titles and middle initials in proper names.)

Coden teaches a frequency of occurrence of capitalization variations (see, Coden, Figure 12, and paragraphs [0055] - [0060]).

Coden teaches a lexicon of proper names (see Coden para [0007]). Coden does not specifically teach said lexicon using more than one capitalization variation. However, Moore teaches a lexicon using a bilingual corpus and captoids (see Moore para [0054], [0068] - [0072]). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Moore to Coden, providing Coden the benefit of learning capitalization with regard to translation relationships (see Moore Abstract).

**Regarding dependent claims 53, 54, 55,** claims 53, 54, 55 claim substantially similar subject matter as claimed in claim 51, and in further view of the following, is rejected under the same rationale. Coden teaches implementation of its invention accordingly, including capitalization correction (see at least Coden Abstract). If a capitalized word is matched to a rule (i.e. a proper name, etc.), said word will not be changed. See also Coden paragraphs [0055] - [0059].

**Regarding claims 56, 58-60,** claims 56, 58-60 reflect the apparatus comprising computer readable instructions used to implement the methods as claimed in claims 51, 53-55 respectively, and are rejected along the same rationale.

*Response to Arguments*

10. Applicant's arguments with respect to claims 51-60 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Bashore whose telephone number is (571) 272-4088. The examiner can normally be reached on 9:00 am - 5:30 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*William L. Bashore*  
**WILLIAM BASHORE**  
**PRIMARY EXAMINER**

June 20, 2007